

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

BILL NO. 08-14

Introduced by Council President Boniface at the request of the County Executive

Legislative Day No. 08-03 Date February 5, 2008

A BILL to authorize and empower Harford County, Maryland (the "County") to establish and maintain from time to time a fund which, upon written recommendation of the County Executive and under certain circumstances approval by Resolution of the County Council of Harford County, Maryland, may be used to make loans for economic development purposes to businesses to encourage such businesses to establish or expand facilities within the geographical limits of Harford County, Maryland or to encourage existing businesses to remain in Harford County, Maryland; providing that such loans may be made by the County to businesses in conjunction with loans made by a fund established from time to time by financial institutions doing business in Harford County, and such loans shall be made upon such terms and conditions and with such security and providing for such interest rates which may be approved by Resolution of the County Council of Harford County, Maryland, in certain instances.

By the Council, February 5, 2008

Introduced, read first time, ordered posted and public hearing scheduled

on: March 4, 2008

at: 7:15pm

By Order: Barbara J. O'Connor, Council Administrator

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on March 4, 2008, and concluded on March 4, 2008.

Barbara J. O'Connor, Council Administrator

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

1 NOW, THEREFORE, in accordance with the provisions of the Charter and the Code of Harford
2 County, Maryland and the laws of the State of Maryland:

3 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF HARFORD COUNTY,
4 MARYLAND, That a Harford County, Maryland Economic Development Opportunity Loan Fund is
5 established, to be known and administered as follows:

6 (a) The Economic Development Opportunity Loan Fund shall be maintained and
7 administered by Harford County, Maryland in accordance with provisions of this Act.

8 (b) The Economic Development Opportunity Loan Fund is a special, continuing non-
9 lapsing fund which shall be available in perpetuity for the purpose of providing financial assistance to
10 businesses in accordance with the provisions of this Act.

11 (c) Subject to the provisions of any applicable Resolution regarding the application of
12 amounts in the Economic Development Opportunity Loan Fund, the Treasurer shall separately hold and
13 shall account for the Economic Development Opportunity Loan Fund. An applicant for a loan pursuant
14 to this Act shall certify its best estimate as to the effect such loan will have upon the employment and
15 the tax base of the County.

16 (d) The cost of administering the Economic Development Opportunity Loan Fund shall be
17 paid from grants and awards from amounts received from borrowers pursuant to loan agreements.

18 (e) A Resolution adopted by the County Council of Harford County, Maryland upon written
19 commendation of the County Executive of Harford County, Maryland, shall set forth the terms and
20 provisions of such loan, including security, rate of interest and terms of repayment. The Resolution
21 may provide that the loan made by the County may be considered to be in parity with loans made by
22 other financial institutions for the purposes set forth in this Act. A Resolution of the County Council of
23 Harford County, Maryland approving a loan to be made pursuant to this Act shall contain a finding

1 concerning the impact of the loan upon the employment and tax base of the County, and the finding of
2 the County Council of Harford County, Maryland shall be conclusive and binding for all purposes.

3 (f) A loan made by the County pursuant to this Act shall be evidenced by a loan agreement.

4 The loan agreement shall contain a provision whereby the borrower acknowledges and agrees that the
5 borrower's loan obligation is cancelable only upon repayment in full and that the County is not
6 authorized to forgive the repayment or all or any portion of the loan.

7 (g) Any loan made by the County pursuant to this Act shall not exceed in the aggregate One
8 Hundred Thousand Dollars (\$100,000.00) to any one business; provided, however, that the loan made
9 by the County may be combined with other loans made by other financial institutions for the same
10 purposes and may exceed One Hundred Thousand Dollars (\$100,000.00) in the aggregate as long as the
11 amount advanced by the County does not exceed One Hundred Thousand Dollars (\$100,000.00). All
12 documents containing the terms and provisions of the loan shall be signed by the County Executive of
13 Harford County, Maryland. All recording costs and out of pocket expenses concerning the loan shall be
14 paid by the borrower.

15 (h) The Director of the Office of Economic Development of the County or the designee of
16 the Director shall attend all meetings and represent Harford County, Maryland for the purpose of
17 meeting with financial institutions which consider the terms and conditions of loans in the aggregate
18 made to businesses in the County for economic development purposes.

19 (i) A loan by the County in an amount of or less than Twenty Five Thousand Dollars
20 (\$25,000.00) does not need a Resolution by the County Council.

21 (j) On November 15 and May 15 of each year, the Director of Economic Development
22 shall prepare and submit to the County Executive and County Council a cumulative financial report
23 containing the terms, loan amounts, interest rate, outstanding balances and other financial information

on all Economic Development Opportunity Loans.

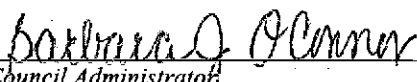
SECTION 2. BE IT FURTHER ENACTED BY THE COUNTY COUNCIL OF HARFORD COUNTY, MARYLAND, That the provisions of this Act are severable, and if any of its provisions are held unconstitutional in any court of competent jurisdiction, the decision of the court shall not effect or impair any of the remaining provisions. This Act is necessary for the welfare of Harford County and its inhabitants and shall be literally construed to effect the purposes hereof.

SECTION 3. BE IT FURTHER ENACTED BY THE COUNTY COUNCIL OF HARFORD COUNTY, MARYLAND, That this Act may be cited as the Harford County, Maryland Economic Development Opportunity Loan Fund Act.

SECTION 4. BE IT FURTHER ENACTED BY THE COUNTY COUNCIL OF HARFORD COUNTY, MARYLAND, That this Act shall take effect 60 calendar days from the date it becomes law.

EFFECTIVE: May 5, 2008

The Council Administrator does hereby certify that fifteen (15) copies of this Bill are immediately available for distribution to the public and the press.



Council Administrator

HARFORD COUNTY BILL NO. 08-14

Brief Title Economic Development Opportunity Loan Fund

is herewith submitted to the County Council of Harford County for enrollment as being the text as finally passed.

CERTIFIED TRUE AND CORRECT

Barbara J. O'Connor
Council Administrator

Date March 4, 2008

ENROLLED

Billy Bair
Council President

Date March 4, 2008

BY THE COUNCIL

Read the third time.

Passed: LSD 08-06

Failed of Passage: _____

By Order

Barbara J. O'Connor
Council Administrator

Sealed with the County Seal and presented to the County Executive for approval this 5th day of March, 2008 at 3:00 p.m.

Barbara J. O'Connor
Council Administrator



BY THE EXECUTIVE

David R. Craig
COUNTY EXECUTIVE

APPROVED: Date March 6, 2008

BY THE COUNCIL

This Bill No. 08-14 having been approved by the Executive and returned to the Council, becomes law on March 6, 2008.
EFFECTIVE DATE: May 5, 2008

Barbara J. O'Connor
Barbara J. O'Connor,
Council Administrator